

REMARKS

Claims 1-25 have been cancelled. New claims 26-45 have been added herein to more clearly set forth aspects believed to be allowable, and reconsideration and allowance of the claims are respectfully requested.

**The Claims Distinguish Patentably
Over the References of Record**

The independent claims presented in this Preliminary Amendment set forth several aspects not disclosed, taught, or suggested by the references of record. For example, independent claim 26 and its dependent claims set forth, inter alia, that the remote control is preprogrammed to communicate with the STB, that the dedicated server suggests button-to-control code assignments by highlighting a button on a graphical representation of the remote control on a display, etc.

Independent claim 41 sets forth connecting an Internet-connectable CE device to a dedicated server via the Internet in response to the user activating the remote control device, which aspect is not present in the references of record. Additionally, claim 41 sets forth providing a display, coupled to the Internet-connectable CE device, with a graphical representation of the remote control device for use in the programming of the remote control device.

Independent claim 45 sets forth suggesting assignment of multiple control codes to a single button on the remote control, by highlighting the single button on a graphical representation of the remote control on a user interface coupled to the STB, and that the remote control is pre-programmed to communicate with the STB. Such aspects are not present in the references of record.

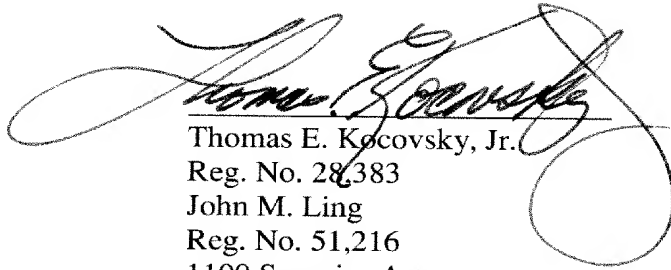
CONCLUSION

For the reasons set forth above, it is submitted that claims 26-45 (all claims) distinguish patentably over the references of record and meet all statutory requirements. An early allowance of all claims is requested.

In the event the Examiner considers personal contact advantageous to the disposition of this case, she is requested to telephone Thomas E. Kocovsky at (216) 861-5582.

Respectfully submitted,

Fay Sharpe LLP

A large, stylized handwritten signature in black ink, which appears to read "Thomas E. Kocovsky, Jr.", is written over a horizontal line.

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